

REMARKS

Status of the Claims

[1] As of the Action, claims 1-10 were pending. This response cancels claim 4, leaving 9 pending claims: 1-3, 5-10.

[2] Claim 1 has been amended to recite that the article defined in the preamble is defined as an ovenware item and that the recited thermoplastic polymer composition is a liquid crystalline polymer. Support for the amendments arise from the original claims. Thus, no new matter has been added. Claim 4 has been canceled as it recited that the polymer is a liquid crystalline polymer.

Rejections

35 U.S.C. 102(b)/35 U.S.C. 103(a)

[3] In ¶2 of the Action, the examiner rejected claims 1-3, 5, and 7 under these provisions as anticipated by or in the alternative as obvious over U.S. Pat. No. 5,028,461 to Nakamichi. The examiner asserts that Nagamichi teaches an ovenware item comprising a thermoplastic polymer.

[4] The amendments to claim 1 define that the thermoplastic polymer in the recited invention is a liquid crystalline polymer. Thus, since Nakamichi teaches a polyarylene sulfide resin as the thermoplastic polymer and therefore does not disclose a liquid crystalline polymer, applicant respectfully requests the withdrawal of the anticipation rejection. Inasmuch as Nakamichi does not disclose the use of a liquid crystalline polymer in an ovenware item as a predictable solution nor suggests such use as obvious to try, applicant respectfully asserts that the rejection does not set forth a *prima facie* case of obviousness and requests the withdrawal of this rejection.

35 U.S.C. 102(b)

[5] In ¶3 of the Action, the examiner rejected claims 1-3, 5 and 7 under this provision as anticipated by Int'l. App. Pub. No. WO98/48414, represented by U.S. Pat. No. 6,641,878 to Suzuki et al. [Suzuki]. The examiner asserts that Suzuki teaches an article comprising a thermoplastic polymer having a thermal conductivity of 1-3 W/mK, a melting point/glass transition point of at least 250°C and a filler in the form of graphite.

[6] Since the recited element "wherein the article is an ovenware item" occurs after the transition, the recited element must be accorded patentable weight in the interpretation of

claim scope. Again, since Suzuki does not disclose all recited elements, viz., ovenware and a liquid crystalline polymer, applicant respectfully requests the withdrawal of this rejection.

[7] In ¶4 of the Action, the examiner rejected claims 1-10 under this provision as anticipated by U.S. Pat. No. 5,976,406 to Nagano et al. [Nagano]. The examiner asserts that Nagano teaches a liquid crystal polymer having filler that is graphite, that the polymer has a heat distortion temperature of at least 270°C and that, because of the filler, the polymer inherently possesses a thermal conductivity of at least 2 W/mK.

[8] Nagano does not teach ovenware. Since the recited element "wherein the article is an ovenware item" occurs after the transition, the recited must be accorded patentable weight in the interpretation of claim scope. As Nagano does not disclose all the recited elements, applicant respectfully requests the withdrawal of this rejection.

[9] In ¶5 of the Action, the examiner rejected claims 1-6 and 9 under this provision as anticipated by U.S. Pat. No. 5,529,716 to Nomura et al. [Nomura]. The examiner asserts Nomura teaches an item comprising a liquid crystal polymer having filler that is aluminum and that the polymer has a heat distortion temperature of at least 340°C and that the item possesses a thermal conductivity of about 2 W/mK.

[10] Nomura does not teach ovenware. Since the recited element "wherein the article is an ovenware item" occurs after the transition, the recited must be accorded patentable weight in the interpretation of claim scope. As Nomura does not disclose all the recited elements, applicant respectfully requests the withdrawal of this rejection.

[11] In view of the foregoing, applicant respectfully asserts that the claims are in condition for allowance and seeks an allowance of this application at the examiner's earliest opportunity.

Respectfully submitted,

/Loretta F. Smith/

LORETTA F. SMITH
ATTORNEY FOR APPLICANT
Registration No.: 45,116
Telephone: 302-992-2151
Facsimile: 302-992-5374

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